

RECEIVED  
CENTRAL FAX CENTER

NOV 17 2003

OFFICIAL

Attorney Docket No.: F077

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPL. NO: 09/982,110

ART UNIT: 2881

APPLICANTS: Robert L. Gerlach, et al.

EXAMINER: Mary A. El Shammaa

FILING DATE: October 17, 2001

TITLE: Focused Ion Beam System

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION

In response to the July 16, 2003 Office action, please amend the above-identified application as follows:

Amendments to the Claims are reflection in the listing of claims which begins on page 2

Remarks begin on page 8 of this paper.

CERTIFICATE OF FACSIMILE

2003. I hereby certify that this paper or fee is being transmitted via facsimile to the Commissioner for Patents on the 17th day of November.

By:

Name:

Michael O. Scheinberg

MICHAEL O. SCHEINBERG  
Patent Attorney

April 23, 2003

RECEIVED  
CENTRAL FAX CENTER

NOV 17 2003

# Fax

# OFFICIAL


**Name:** Mary A. El Shammaa  
**Organization:** United States Patent and Trademark Office  
**Fax:** 1-703-872-9318

**From:** Michael O. Scheinberg  
PO Box 164140  
Austin, TX 78716-4140  
**Fax:** (512) 306-1963  
**Phone:** (512) 328-9510  
**E-Mail:** [scheinberg@sgnlaw.com](mailto:scheinberg@sgnlaw.com)  
**Date:** April 23, 2003  
**Subject:** F077  
**Pages:** 13 (including this coversheet)

<b>APPL. NO.:</b>	09/982,110	<b>ART UNIT:</b>	2881
<b>APPLICANT:</b>	Robert L. Gerlach et al.	<b>EXAMINER:</b>	Mary A. El Shammaa
<b>FILING DATE:</b>	October 17, 2001		
<b>TITLE:</b>	Focused Ion Beam System		

In connection with the above-identified application, applicant submits the following:

1. Response to Office Action
2. FCC Transmittal (in duplicate)
3. Petition for 1-Month Extension of Time

  
Michael O. Scheinberg  
Reg. No.: 36,919

**CONFIDENTIALITY NOTICE:** Unless otherwise indicated or obvious from the nature of the transmittal, the information contained in this facsimile message is attorney privileged and confidential information intended for the use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify the sender by telephone and return the original message to Michael O. Scheinberg at the above address via the U.S. Postal Service at our expense.

Mailing Address  
P.O. Box 164140

Physical Address  
3425 Bee Cave Road., Suite B1

Telephone: Voice: (512) 328-9510  
Fax: (512) 306-1963

PTO/SB/17 (10-03)

Approved for use through 07/31/2008. OMB 0851-0032  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL**  
**for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) **196.00****Complete if Known**

Application Number	09/982,110
Filing Date	October 17, 2001
First Named Inventor	Robert L. Gerlach
Examiner Name	Mary A. El Shammaa
Art Unit	2881
Attorney Docket No.	F077

**METHOD OF PAYMENT** (check all that apply)☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit  
Account  
Number  
Deposit  
Account  
Name

50-1635

Michael O. Scheinberg

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	180	2005	80	Provisional filing fee	
<b>SUBTOTAL (1)</b>					<b>(\$)</b>

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent	8	3** = 1	86
Multiple Dependent			

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	88	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claim, if not paid	
1204	88	2204	43	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
<b>SUBTOTAL (2)</b>					<b>(\$)</b> 86.00

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION** (continued)**3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	110
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	280	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1480	130	1480	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1808	180	1808	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify):

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$) **110.00****SUBMITTED BY**

Name (Print/Type) Michael O. Scheinberg

Registration No. 36,919  
(Attorney/Agent)

(Complete if applicable)

Telephone 512-328-9510

Signature

Date November 17, 2003

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.